

**City of Tucson Department of Urban Planning and Design  
U of A Pilot Area & Draft NPZ Ordinance**

**SUMMARY OF JUNE 21, 2007 MEETING WITH STAKEHOLDERS**

**IT Building - 481 W. Paseo Redondo 5 - 7 PM**

**Present:**

Jan Aalberts, Moderator - Sky House

**Committee Members**

Colette Altaffer	Ruth Beeker	Rick Bright
Joan Calcagno	Randi Dorman	Linda Drew
Mike Goodman (absent)	Mac Hudson	Jose Luis Ibarra
Diana Lett	Phil Lipman	Dyer Lytle
Tom Mueller	Alice Roe	Mary Beth Savel
Richard Studwell	Gail Schuessler	Mike Teufel (absent)
Jon Wilt	Gal Witmer	Steve Brigham (absent)
Sarah Evans (absent)	JT Fey (absent)	Corky Poster

**Audience Members/Alternates**

Dan Anglin	Monika Ashe	Bill Colburn
Ted Cooper	Bill Dupont	Diana Hadley
Mike Hayes	Christina Jarvis	Karolyn Kendrick
Holly Lachowicz	John O'Dowd	Miguel Ortega
Marilyn Robinson	Carl Sammartino	Bob Schlanger

Tracy Williams

**City Staff**

Jim Mazzocco - UPD	Aline Torres - UPD	Irene Ogata - UPD
Rebecca Roupp -UPD	Jenn Burdick - UPD	Adria Henderson -UPD
Kristi Jenkins - UPD	Barbara Hayes - UPD	

Michael McCrory - City Attorney

Jan Aalberts asked that the committee members, staff and members of the audience introduce themselves and state their association. Additional UPD staff was present to assist with moderating and scribing for the break-out discussions that would occur later in the meeting. The next committee meeting will be held at the Public Works Building, 201 N. Stone Ave., Conference Room C beginning at 5 PM. Aline Torres asked that any committee or audience members that are not receiving information relating to the UofA Pilot Overlay and want to be on the contact list, to see her after the meeting to make sure she has their e-mail and/or mailing address. Jim Mazzocco began a discussion with the committee members to explain the different ways the proposed "overlay" for the UofA environs could be understood.

Members of the committee and the audience had the following questions:

- Which of the overlay options presented has the most "teeth" and has the ability to be enforced?
- Will the regulations be applied to the entire overlay or just in the pilot area?
- Will the pilot overlay area and NPZ be enforced and is there a budget and staffing for enforcement of the overlay regulations?
- The LUC is already difficult to deal with - do we need another regulation?
- How do we protect neighborhoods without adding regulations that harm good development?
- What is good for the whole community - not just for those areas in the overlay?
- Are there neutral issues that can be applied to the preservation zone area rather than City-wide?
- The NPZ seems to offer incentives to builders/developers. Can the NPZ offer incentives to neighborhoods?
- Is there a time limit on applying the regulations for the pilot area?

In response to these questions, Jim stated that the reason for the committee is to give the committee the opportunity to determine what the pilot area will be. The Mayor and Council directed staff to create a pilot overlay area based on the discussions and recommendations from the committee. State law requires that the policies in the *General Plan* be adhered to and that rezonings comply with those policies. If adopted, the NPZ can help to guide development within neighborhoods and prevent attacks on these areas. An audience member stated that the policies in the sustainability report discussed at the town hall meeting need to be instituted as part of this process.

Committee members discussed "good development" versus "bad development" and its affects on neighborhoods, developers, builders and the UofA. Development that is seen as being part of the "lowest common denominator" in terms of unimaginative architectural design and poor site planning is causing the need for more regulations to be written to close the loopholes. Developers that are building poor projects are spoiling development opportunities for all members of the development community. Infill developers that are not in the business of building minidorms/student housing projects should be concerned because the NPZ could adversely affect their businesses. The definition of "good" or "decent" projects is different for developers and neighborhood groups. Projects that are ready to be built (ie: The Post,

The Lofts on 5<sup>th</sup> Avenue) are not being constructed due to the recent economic down-turn. At the same time, these developments are not always considered to be "good projects" by neighborhoods because after negotiations are concluded the direction or intent of the project changes without informing the neighborhood and getting their input.

A member of the committee stated that growth boundaries should be realistic, density should be planned and not allowed to happen indiscriminately. If boundaries for growth are not established, sprawl will continue. This will cause traffic considerations relating to the construction of additional miles of roads, increased water usage and other environmental concerns. Members of the committee discussed the risk of using zoning regulations to address issues within neighborhoods that could be solved in other ways. ("Killing a mosquito with a bazooka.") The NPZ is not necessarily a regulation that would be more restrictive. An example was provided regarding allowing residential development in existing commercial or industrial areas that would not be applied throughout the City but just in those specific preservation zones. At present, development regulations sometimes prohibit infill development. Quality development is not occurring on smaller, more challenging parcels because profit margins are reduced.

A list of questions was distributed to the committee and audience members for break-out discussion groups. Three groups were formed from the members of the committee and a fourth group was formed from audience members. Group A discussed the possible boundaries for the pilot overlay. Group B discussed redevelopment policies and Group C discussed preservation policies. The audience group was given the list of questions also and could take this opportunity to discuss any of the issues if felt they wanted to comment on.

The questions and the key points of each group discussion are transcribed and attached to the meeting notes.

A member of the audience suggested that another "Fact of Life" be added to the list - No one is guaranteed a profit. A member of the committee requested that an aerial photograph be provided of the pilot area with a zoning designation layer. This may provide a valuable visual aid for members of the committee and the audience to recognize where existing densities are located. A member of the audience stated that the UofA will discuss its boundaries in 2008. A baseline for the number of bedrooms that will be required to house UofA students within 5 years has been established at 28,000. Committee members discussed the need to specify areas where student housing/minidorms can be constructed in the City. Developers and neighborhoods need to work together to designate an area for high-density student housing. Without this conversation taking place, high-density student housing will be located in established, historic neighborhoods.

## Notes for 6/21 NPZ Neighborhood Meeting - Group A

NYC block (one block) (A1) Jon w/map

Safe secure environment for students

Student-centric village or series of villages that are defined as a committee (area, promote)

Services

Mix – duplexes, apartments (multi-family)

Stair step growth (6-story to single family)

Santa Rita, Fremont, Warren – shut off access at Grant Road

Change parking regulations (5-6 story parking structures)

### **(A2) Jon (see map)**

Secure places with police

Offer for sale homes (incentive for faculty and staff to buy in transition zone)

High density mixed-use complex (not necessarily apartments – John Frye-Pennsylvania)

Irene – this is more in masterplan or design.

What are rules to get to it?

What are tools to encourage?

Tom:

### **(3A)**

Tom: Ditto Ruth Becker re: incentives on both sides

Jon: Trade off will offset 20X

Gail: No. of students that need housing growing

Linda: Referred to UA demographics not as big a problem (UA housing demand)

Enough existing space to accommodate – erroneous to have to build more housing for students.

### **(4A)**

Tom: Let's make NPZs good

Chapel Hill, NC

Tempe

A way to work harmoniously

Infill builders don't want to do battle

Linda: Why not build SFR too students and faculty

Mary Beth: Students need shopping

Stepped down on major roadways

Higher density along arterials – make things easier in overlay zone along major arterials – nodes

(Speedway/Campbell)

Allow increased density – figure out how far.

### **(5A)**

Protect R-1

Diana: Where development (greater intensity) should be located.

Develop old Chevron site

Jon: Stone is incentive area

What are the incentives?

Diana: Need to be specific with which arterials

Mary Beth: Create corridors with transitions

Gail: Preserve historic zones

West University

Gail: Incompatible – doesn't reflect what's already there.

#### **(6A)**

Diana on R-2:

Stringent restrictions on parking

Compatible with surrounding houses, no more two-story buildings

Diana on R-1: Preserved

Only infill that's compatible

No two-Stories

More than 19-foot setback

Good examples exist currently (not NIMBY – see Mabel and Adams)

Compromise

Some students

Some faculty

Balance

There are other infills other than student housing

More restrictive infill compatibility

Setbacks

Stories

Developer – it's owner perspective don't take away

Jon: Need to be overlay or historic for Feldmans

#### **(7A)**

Jon: If it's historic as builder, he'll expect accordance with historic guidelines

Gail: Have to look at specifics to the area

Mac: Pick areas that work for student housing, give and take – baseline

Jon: Summarize with bullets

Looking at trying to find area as group

No agreement with this time (?)

Need more conversation and discussion.

Group B: Re-Development Policies  
June, 21, 2007

Define Redevelopment

- Distinguish between normal maintenance and significant changes that change the character of the property/building
- Tear downs and rebuilds
- Building on under utilized or vacant lots (as opposed to tear downs)
- Changing the use on the property

Possible definition:

- When a building or property is no longer what it was (the use changes- single family to something else)
- Look at the use as redevelopment not just the physical aspects

Concern: As the market changes, the use that a property changes to, may no longer be appropriate. Therefore developers should think about the longevity and sustainability of their projects with respect to the neighborhood and the City as a whole.

Good vs. Bad Development

- Incentives to encourage good development and discourage the bad
- Need to create harsher rules for students who create disturbances
- Somewhat consensus to preserve single family uses/historic uses
- Use good development to revitalize areas or for infill on vacant lots

Intensify Development

Locate areas that are appropriate to have minimum and maximum floor area ratios by using a map to identify those areas. Possible locations might be along the streetcar line and arterials. In the neighborhoods it would be appropriate to maintain similar floor area ratio of what is already there.

Developers should build to match the character/look of the neighborhood, taking consideration for the following in each neighborhood:

- Building Heights
- Landscaping
- Lot coverage
- No lot splits

Attention to these elements will help keep bad developers out or make them design to match the neighborhood.

Development is appropriate along the arterial roads, and occasionally on collectors or the street line because there are historically significant houses that should be maintained or the neighborhood would like to keep the collectors residential where it already exists. Some things to consider when placing more density in neighborhoods:

- Not in Historic areas
- Keep to major arterials

- Allow seating on the street
- Take inventory of what already exists and only allow increased development/density in appropriate areas

Overlay: What is it and how should it be applied?

Use the overlay to make the good development easier to build and the bad harder without stopping everything or applying more rules to the process.

Smart Development

- Consistent with the neighborhood
  - Is it appropriate in terms of aesthetics and use?
  - Look at the architecture of the neighborhood
- How to ensure that out of state landowners manage their property

An overlay might be too broad, it needs to be case by case in order to match each neighborhood's needs. It should create specific area designs for each neighborhood to ensure that developers are matching the neighborhood's character.

The overlay should apply to residential areas only, particularly R-1. There is no need to include commercial because it is already acknowledged that that use is allowed on arterials and in commercially zoned areas. It might be wise to write the overlay to address what is appropriate in each zone for each neighborhood.

Other Issues/Concerns:

- Take risks, particularly downtown where development should be encouraged  
Discourage blight laws that force people to close
- Need strong leadership from the City
- Need a clear City plan that identifies the overall design of Tucson

## Group C: Preservation Policies

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### Questions Prepared for the Group:

In what circumstances should preservation policies apply in a Pilot Overlay?

- What should the preservation policies be?
  - What type of building or lot is worthy of preservation?
  - What would define a preservation area in the pilot overlay?
  - Where would a two story unit be appropriate in a preservation area?
    - Architectural considerations?
    - Privacy mitigation?
    - Etc.?
- Where you have a original dwelling, to what degree can it be re-developed?  
Is there something missing that still needs to be addressed on this subject?

### Additional question added to all groups:

What should the pilot overlay be about?

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### What should the overlay be about?

Before the group discussed preservation issues, it was suggested that it is important to discuss what the overlay is about, which would set the framework for discussions about preservation.

Defining an overarching problem statement for the discussion:

"How to accommodate \_ number of students per year in the neighborhoods."

Is this too focused on UA affiliated residents? What about those that aren't students or staff at the U of A and just want to live in the area because it is lively and interesting?

The boundaries of the proposed overlay cover a 2-mile radius, stretching from Mission Road to Columbus. Is student housing a problem/issue for this entire area? How do you focus on identifying and saving characteristics in the central city worth preserving?

The current Land Use Code does not work. We need to take a departure from it - but that would take a neighborhood taking a risk on trying something else out.

One option might involve using a Neighborhood Review Committee and/or a Design Review Board for development projects.

Neighborhoods appreciate the public process requirements when development goes through the government.

Take an area, like the central city, and create a new code, an urban code; leave the current one, which is more suburban, for the more suburban areas of the city/area.

What is the appropriate definition of density to use?

Currently, commercial uses Floor Area Ratio; residential uses units.



A Floor Area Ratio (ratio being the ration of square footage to lot size) is more objective than using units.

We need a residential Floor Area Ratio.

Housing is still the big issue. People will still come in to the neighborhoods to buy and then rent out, even if they can't build new structures. Changing design won't change the need for development.

Scale of redevelopment is an issue. New development should look like the rest of the neighborhood.

Is the Jefferson Park plan something that could be applied/replicable? Are there elements that could be used as part of the overlay for the entire area?

The idea of putting density along transit routes is good. One side affect of improvements made in the past (like Highland?) is that students can live farther away from campus. This could mean that student housing may disperse farther away from the campus.

Where should density go?

The streetcar will have a big impact.

Plan to make development along arterials feasible - such as a buffer for residents/residential areas.

Long -range planning versus short-term solutions.

There needs to be planning

Define areas and request enough time to address issues based on those areas.

Land along arterials is only useable by big box/developers who can assemble enough viable parcels

Must plan ahead, be proactive; like planning for the future use of right-of-way. (Example: Broadway Blvd.) Plan for use of right-of-way needs before widenings occur, or instead of widenings.

Create a new Land Use Code for center city - other cities do this. It would include different standards for infrastructure.

The housing need for U of A students is 1,200 bedrooms/year. Where do you put them?

Long-term planning for growth, like Portland, Oregon's use of growth boundaries over a 20-year period, makes sense. Growth expands outside the boundaries incrementally based on an agreed upon number. We do not do that here.

Committee needs adequate time to develop a plan

The members will commit to do the work, if given the time and the promise that it will be implemented as designed by the committee (i.e. that the time committed to creating the plan is not wasted because the recommendations it comes up with are not utilized).

It appears that part of the solution to focus on is planning for growth needs, such as:

Placing X number of bedrooms over X years in ways that preserve the character of the neighborhoods while allowing profitable development.

Enforcement of permitting is important - including "policing" against un-permitted ("bootleg") improvements to existing homes/structures in neighborhoods. Such "bootleg" improvements have a market impact

## **Report Out Comments/Questions**

(Corky Poster)

In summary, Group C's discussion seemed to center on the following point:

If we could identify areas within the overlay boundaries, where would we put the approximately 48,000 bedrooms potentially needed over the next 20 years?

The 48,000 bedrooms over 20 years is based on the 1,200 bedrooms/year identified for U of A students, plus 1,200 bedrooms for others (Pima Community College students, staff and faculty, non-school related residents) over 20 years.

### ***Questions asked by Committee members/meeting attendees:***

Is there a cap for number of students?

Where has student housing/housing planning worked in other communities?

Perhaps it's important to be part of the U of A discussions regarding growth boundaries.

These boundaries will be discussed in 2008.

The U of A Comprehensive Plan indicates that the campus has the capacity within its current boundaries to double its square footage.

UofA Pilot Area/NPZ Committee  
June 21, 2007  
Break-out Group Discussions  
Audience Member Group

What should the overlay address?

Based on the Council direction the pilot overlay is a ZONING overlay  
It should be something enforceable with "teeth" - not a "one-size-fits-all"  
Neighborhood groups believe the primary issue is minidorms  
The pilot area should include the heart of established/historic neighborhoods  
and not include development along arterial streets  
Redevelopment is not necessarily going to go through the rezoning process  
Abiding by restrictive rules or negotiation with neighborhoods - establishing  
give and take boundaries

SAHBA -

Applying the NPZ regulations to unbuilt sections of platted subdivisions  
Audience members believe this is SAHBA's attempt to divert the NPZ  
Bad development - SAHBA should police their members  
They should not be able to self-regulate

Development along arterials -

Intensify development along transit corridors  
Transportation issues, impact fees  
Allow mixed-use development, multi-story structures and dormitories

Development in the heart of neighborhoods -

Developer must develop property within the context of the neighborhood  
Preserve historical densities/uses  
"Historic" FAR and building heights should be retained  
Lot splits and lot combinations should be limited  
Uniqueness and context of the neighborhood should be preserved including  
setbacks, building heights and lot coverage  
The concern in neighborhoods is not always about new development - the  
concerns center around historic development and new development being  
similar  
New development can blend with existing historic development in  
neighborhoods

## Minidorms -

Minidorms are part of the neighborhood and development in the City  
Neighborhood residents don't object to students living in their neighborhoods  
They have concerns about the intensity and numbers of students living in one area  
Neighborhood connection is lost with minidorm development  
Police are unable/unwilling to stop unruly behavior

What is appropriate re-development? What defines a "preservation-worthy" property?

Historic designation - preservation of the historic character of neighborhoods  
Preservation component - dimensional standards can be included as part of the preservation of neighborhood character  
Preservation of a house in a historic neighborhood  
Appropriate development could be built in place on a tear-down lot  
"Appropriate tear-down" Example - 1 BR duplex in Feldmans - existing structure was not necessarily historic or exceptional, however new development will increase density, traffic, problems with parking and trash pick-up

## Built Environment -

Zoning regulations relate to dimensional standards not the use of the property  
The use of the site should be defined  
Infrastructure in the neighborhood - over-burdening of the sewers  
Sewer system is usually designed over capacity  
The built environment is not always reflective of the underlying zoning designation  
Neighborhood residents are unaware that the existing development is not as intense as the zoning designation allows  
Developers are aware that this situation exists and properties are being purchased for redevelopment at higher densities  
Density = numbers of structures NOT number of people

Developers are not using the maximum allowed density to be able to build and make a profit

Should FAR adjustments be allowed? In most cases, a 70% FAR is allowed; most development is 30-40% FAR

Parking regulations for R-1 properties should be retained.

R-2 development that is a rental property is considered a "business" property

These properties should be required to provide all parking on-site

#### Intent of Residential Land Uses -

The intent of R-1 development is single-family residential development

The intent of R-1 is not being honored

Rules in Pima County are in place to enforce the intent of single-family development

#### Occupancy Restrictions

Constitution does not allow jurisdictions to define what a family is as it relates to the occupancy of a structure

Should there be a definition of family for the pilot overlay and the NPZ?

#### Sustainability Issues -

Public, usable open space required - sustainability accords

#### Historic (H) Designation -

Retain historic character within local H designations

The federal H designation allows preservation of the appearance of a residence along the street frontage and this encourages residents to retain the H designation on their property

#### Information Sharing Between Neighborhood Residents and Developers -

Form a committee of a group of neighborhood representatives to interact with developers

Individuals should commit to be part of the committee for a minimum of 4 years to provide continuity

They should have knowledge of the LUC

There should be structured rules for discussion with developers or builders

There should be a balance of information shared with the neighborhood  
regarding development occurring in the areas where they live

Builders are taking advantage of zoning regulations